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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/865,403 05/29/97 ASANO

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EXAMINER

NGUYEN, N

ART UNIT

PAPER NUMBER

2164

DATE MAILED:

06/06/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/865,403

Applicant(s)

Asano

Examiner

Nguyen Nga B

Art Unit

2164



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Mar 8, 2001
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9, 17-25, 37-46, and 53-62 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claims 9, 17-25, 37-46, and 53-62 are subject to restriction and/or election requirements.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____

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DETAILED ACTION

1. This Office Action is in response to the communication filed on March 8, 2001 , which paper has been placed of record in the file.
2. Claims 9, 17-25, 37-46, and 53-62 are pending in this application.

Response to Arguments/Amendment

3. Applicant's arguments with respect to the claims have been fully considered but are moot in view of the new ground(s) of rejection.
4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

6. Claims 9, 17-25, 37-46, and 53-62 are rejected under 35 U.S.C. 102(e) as being anticipated by Sirbu et al, U.S. Patent No. 5,809,144.

Regarding claim 9, Sirbu discloses a method for providing a service to a user, comprising the steps of:

receiving a service request requesting desired service for the user from a service provider and a digital signature generated based on service request from a user terminal (column 4, lines 35-50 and figure 8);

providing the service to the user terminal according to service request (column 9, lines 30-37);

requesting a charge collection from an accounting terminal based on service request (column 6, lines 20-37); and

providing service request and digital signature to accounting terminal when a disclosure request of service requests and digital signatures is received (column 6, lines 12-18).

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Regarding claim 17, Sirbu further discloses digital signature is generated only by user (figure 8).

Regarding claim 18, Sirbu further discloses service provider verifies digital signature received from user terminal, and service provider provides the service to the user if digital signature is valid (column 6, lines 5-12).

Regarding claim 19, Sirbu further discloses service provider verifies digital signature received from user terminal, and service provider rejects the service request from the user terminal if the user fails behind in his payment (column 6, lines 20-20-25).

Regarding claim 20, Sirbu further discloses service request from the user terminal includes a user name, bank account information, a name of service provider, a name of the service to be provided, date and time (figures 9-10).

Regarding claim 21, Sirbu further discloses charge collection request to accounting terminal includes a user name, a bank account information and amount of fee (column 6, lines 20-37 and figure 8).

Regarding claim 22, Sirbu further discloses charge collection request to accounting terminal includes service request and digital signature received from the user terminal (figure 8).

Regarding claim 23, Sirbu further discloses disclosure requests of service request and digital signatures is received from the user (column 5, lines 63-65).

Regarding claim 24, Sirbu further discloses service provider charges a fee to the user based on a time period service is provide to the user (column 3, lines 60-63).

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Regarding claim 25, Sirbu further discloses service provider charge a fee to the user based on contents provided to the user (column 3, lines 60-63).

Claims 37-46 are written in means and parallel limitations as found in claims 9, 17-25, therefore are rejected by the same rationale.

Claims 53-62 are system claims and parallel limitations as found in claims 9, 17-25, therefore are rejected by the same rationale.

Conclusion

7. Claims **9, 17-25, 37-46, and 53-62** are rejected.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nga B. Nguyen, whose telephone number is (703) 306-2901.

The examiner can normally be reached on Monday-Friday from 8:30 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent A. Millin, can be reached on (703)305-9768.

9. **Any response to this action should be mail to:**

Commissioner of Patents and Trademarks

c/o Technology Center 2700

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

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or:

(703) 308-5397 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II,
2121 Crystal Drive, Arlington.
VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Group receptionist whose telephone number is (703)305-3900.

Nga B. Nguyen
May 31, 2001


VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100